

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHRISTY N. STEWART,	)	
	)	
Plaintiff,	)	
	)	2:05-cv-00092-DRB
vs.	)	[wo]
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

**ORDER ON MOTION**

On May 15, 2006, this court entered a *Final Judgment* remanding this case to the Commissioner of Social Security for further proceedings pursuant to *sentence four* of 42 U.S.C. §405(g). (Docs. 20 and 21). Submitted now is the *Plaintiff's Motion for Attorney's Fees* filed with a supporting brief and schedule of hours on August 11, 2006 (Docs. 22, 23 and 24). The Commissioner "has no objection to an award of attorney's fees and expenses under the EAJA in the amount of \$4,565.21...[and] requests that the Court's order reflect that the EAJA fees should be made payable to the Law Offices of Georgia H. Ludlum." (*Defendant's Response* , Doc. 26, Aug. 24, 2006).

Plaintiff seeks a total award of \$4,565.21 for attorney's fees to counsel of record, Georgia H. Ludlum. Plaintiff's *Motion* is timely filed, and she is a "prevailing party" within the meaning of 28 U.S.C. §2412(d)(1)(A), in that the court remanded this case for further consideration. Plaintiff has documented inflationary increases in the consumer price index which authorize an increase from the \$125.00 hourly fee specified in the EAJA to the requested hourly rate of \$153.97. This hourly rate is reasonable as are the 29.65 hours expended for itemized legal services between January 30, 2005 and August 11, 2006. Accordingly, it is the

**ORDER, JUDGMENT, and DECREE** of this court that Plaintiff's *Motion* (Doc. 22) for an award of attorney's fees is **GRANTED** in the total amount of **\$4,565.21** payable to Plaintiff's counsel, the Law Offices of Georgia H. Ludlum.

DONE this 25<sup>th</sup> day of August, 2006.

/s/ Delores R. Boyd  
DELORES R. BOYD  
UNITED STATES MAGISTRATE JUDGE